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BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

IN THE MATTER OF THE APPLICATION )  
FOR COMPREHENSIVE LAND USE PLAN )  
CHANGE AN ZONE CHANGE NO. 79-49 )  
BY KLAMATH COUNTY SCHOOL DISTRICT)

O R D E R

THIS MATTER having come on for hearing upon the applica-  
tion of Klamath County School District for a Comprehensive Land  
Use Plan change from Public to Multiple Density and a zone change  
from SP-13 (Public Facilities) and RA (Residential Agricultural)  
to RD 3,000 (Multiple Family Residential), by the Klamath County  
Planning Commission, on real property described as Township 39,  
Range 9, NE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 3, being Tax Lot 1200. Public hear-  
ings having been heard by the Klamath County Planning Commission  
on October 23, 1979, wherefrom the testimony, reports, and infor-  
mation produced at the hearing by the applicant, members of the  
Planning Department Staff and other persons in attendance, the  
Planning Commission recommended approval to the Board of County  
Commissioners. Following action by the Planning Commission, a  
public hearing before the Board of County Commissioners was  
regularly held on November 26, 1979, wherefrom the testimony at  
said hearing it appeared that the record below was accurate and  
complete and it appeared from the testimony, reports and exhibits  
introduced at the hearing before the Planning Commission that the  
application for change of Comprehensive Land Use Plan and zone  
change for the subject property, should be granted.

The Board of County Commissioners makes the following  
Findings of Fact and Conclusions of Law as required by Ordinance  
No. 17, the Klamath County Zoning Ordinance:

FINDINGS OF FACT FOR COMPREHENSIVE LAND USE PLAN MAP  
CHANGE:

1. The Board of County Commissioners found site for change in Comprehensive Land Use Plan Map is located east of Crest Street and north of Boardman with the O. C. & E. Railroad abutting site to the north, basically being in the South Suburban area.

2. The Board of County Commissioners found site for Comprehensive Land Use Plan change to be approximately 3.73 acres in size and shaped rectangular.

3. The Board of County Commissioners found site for change in Comprehensive Land Use Plan has access via Boardman as well as Crest Street.

4. The Board of County Commissioners found per applicant that the proposed change would upgrade the area as the area is basically older residences.

5. The Board of County Commissioners found per applicant's testimony that there is a need for low income multiple unit housing in the Klamath Falls area and that H. U. D. was interested in backing the proposed project.

6. The Board of County Commissioners found that notification had been sent out to the surrounding property owners as well as to those agencies of concern, therefore addressing L. C. D. C. Goal No. 1.

7. The Board of County Commissioners found site for change in land use to be multiple and that this change would conform to the other land uses such as commercial, urban density, and that this was a trend, therefore addressing L. C. D. C. Goal No. 2.



1           8. The Board of County Commissioners found site for  
2 change in Comprehensive Land Use Plan would have an economical  
3 impact on the area in that the construction of the proposed  
4 duplexes would provide employment, therefore addressing L. C. D.  
5 C. Goal No. 9.

6           9. The Board of County Commissioners found per appli-  
7 cant's plot plan that twenty housing units may be added to the  
8 housing stock in the Klamath Falls area where there is a need for  
9 low income housing as such proposed by applicant, therefore  
10 addressing L. C. D. C. Goal No. 10.

11           10. The Board of County Commissioners found site would  
12 be served by South Suburban sewer, city water, electricty, and  
13 also have telephone service as well as being in a fire district,  
14 therefore addressing L. C. D. C. Goal No. 11.

15           11. The Board of County Commissioners found site has  
16 frontage on two county roads, one of which is paved and the other  
17 being a dirt road, therefore addressing L. C. D. C. Goal No. 12.

18           12. The Board of County Commissioners found site for  
19 change in Comprehensive Land Use Plan to be close to many commer-  
20 cial services and that energy conservation would be possible,  
21 therefore addressing L. C. D. C. Goal No. 13.

22           13. The Board of County Commissioners found site for  
23 change in Comprehensive Land Use Plan to be within an urbanized  
24 area where commercial services are as well as residential uses,  
25 therefore addressing L. C. D. C. Goal No. 14.

26           CONCLUSIONS OF LAW FOR COMPREHENSIVE LAND USE PLAN MAP  
27           CHANGE

28           1. The property affected by the Comprehensive Land Use

1 Plan change is adequate in size and shape to facilitate those uses  
2 normally allowed in conjunction with such zoning.

3 2. The property affected by the proposed Comprehensive  
4 Land Use Plan change is properly related to streets and highways  
5 to adequately serve the type of traffic generated by such uses  
6 that may be permitted therein.

7 3. The proposed Comprehensive Land Use Plan change will  
8 have no adverse effect or only limited adverse effect on any  
9 property or the permitted uses thereof within the affected area.

10 4. The proposed Comprehensive Land Use Plan change is  
11 in keeping with any land use plans duly adopted and does, in  
12 effect, represent the highest, best and most appropriate use of  
13 the land affected.

14 5. The proposed Comprehensive Land Use Plan change is  
15 in keeping with land uses and improvements, trends in land devel-  
16 opment, density of land development, and prospective needs for  
17 development in the affected area.

18 FINDINGS OF FACT FOR ZONE CHANGE:

19 1. The Board of County Commissioners found site for  
20 change in zone is located east of Crest Street and north of Board-  
21 man with the O. C. & E. Railroad abutting site to the north,  
22 basically being in the South Suburban area.

23 2. The Board of County Commissioners found site for  
24 Comprehensive Land Use Plan and zone change to be approximately  
25 3.73 acres in size and shaped rectangular.

26 3. The Board of County Commissioners found site for  
27 change in zone has access via Boardman as well as Crest Street.

28 4. The Board of County Commissioners found per appli-



1 cant that the proposed change would upgrade the area as the area  
2 is basically of older residences.

3 5. The Board of County Commissioners found per appli-  
4 cant's testimony that there is a need for low income multiple unit  
5 housing in the Klamath Falls area and that H. U. D. was interested  
6 in backing the proposed project.

7 6. The Board of County Commissioners found that notifi-  
8 cation has been sent out to the surrounding property owners as  
9 well as to those agencies of concern, therefore addressing L. C. D.  
10 C. Goal No. 1.

11 7. The Board of County Commissioners found site for  
12 change in land use to be multiple and that this change would con-  
13 form to the other land uses such as commercial, urban density, and  
14 that this was a trend, therefore addressing L. C. D. C. Goal No. 2.

15 8. The Board of County Commissioners found site for  
16 change in zone would have an economical impact on the area in that  
17 the construction of the proposed duplexes would provide employment  
18 therefore addressing L. C. D. C. Goal No. 9.

19 9. The Board of County Commissioners found per appli-  
20 cant's plot plan that twenty housing units may be added to the  
21 housing stock in the Klamath Falls area where there is a need for  
22 low income housing as such proposed by applicant, therefore  
23 addressing L. C. D. C. Goal No. 10.

24 10. The Board of County Commissioners found site would  
25 be served by South Suburban sewer, city water, electricity, and  
26 also have telephone service as well as being in a fire district,  
27 therefore addressing L. C. D. C. Goal No. 11.

28 11. The Board of County Commissioners found site has

1 frontage on two county roads, one of which is paved and the other  
2 being a dirt road, therefore addressing L. C. D. C. Goal No. 12.

3 12. The Board of County Commissioners found site for  
4 change in zone to be close to many commercial services and that  
5 energy conservation would be possible therefore addressing L. C.  
6 D. C. Goal No. 13.

7 13. The Board of County Commissioners found site for  
8 change in zone to be within an urbanized area where commercial  
9 services are as well as residential uses, therefore addressing  
10 L. C. D. C. Goal No. 14.

11 CONCLUSIONS OF LAW FOR ZONE CHANGE:

12 1. The property affected by the change of zone is  
13 adequate in size and shape to facilitate those uses normally  
14 allowed in conjunction with such zoning.

15 2. The property affected by the proposed change of zone  
16 is properly related to streets and highways to adequately serve  
17 the type of traffic generated by such uses that may be permitted  
18 therein.

19 3. The proposed change of zone will have no adverse  
20 effect or only limited adverse effect on any property or the  
21 permitted uses thereof within the affected area.

22 4. The proposed change of zone is in keeping with any  
23 land use plans duly adopted and does, in effect, represent the  
24 highest, best, and most appropriate use of the land affected.

25 5. The proposed change of zone is in keeping with land  
26 uses and improvements, trends in land development, density of land  
27 development, and prospective needs for development in the affected  
28 area.



NOW, THEREFORE, it is hereby ordered that the application for the Comprehensive Land Use Plan change from Public to Multiple Density and zone change from SP-13 (Public Facilities) and RA (Residential Agricultural) to RD 3,000 (Multiple Family Residential) for Klamath County School District on the subject property, is hereby granted.

DONE AND DATED THIS 9<sup>th</sup> DAY OF January, 1980

Chris A. Cheyne  
Chairman

Neil Kuonen  
Member

Harold L. Kynne  
Member

APPROVED AS TO FORM:  
Boivin & Boivin

BY Robert D. Boivin

STATE OF OREGON; COUNTY OF KLAMATH; ss.

Filed for record at request of Klamath County  
this 14th day of January A. D. 1980 at 2:23 o'clock P, one  
uly recorded in Vol. M80, of Deeds on Page 671

Wm D. MILNE, County Clerk  
By Bernetha A. Detoch

No Fee